

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION**

ALEJANDRO JURADO JIMENEZ et al.,)	
)	
Plaintiffs,)	
)	Civil Action No. 12-C-0209
v.)	
)	Judge Griesbach
GLK FOODS, LLC and RYAN A. DOWNS,)	
)	
Defendants.)	

AND

JOSE ENRIQUEZ RAMIREZ et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 12-C-210
)	
GLK FOODS, LLC and RYAN A. DOWNS,)	Judge Griesbach
)	
Defendants.)	
)	
)	

**PLAINTIFF CLASSES' MOTIONS FOR PARTIAL SUMMARY JUDGMENT FOR
VIOLATIONS UNDER THE AWPB AND THE WMLA OF REQUIREMENTS TO (1)
PROVIDE DISCLOSURES OF TERMS OF EMPLOYMENT, (2) PROVIDE WORK
AGREEMENTS, (3) NOT TAKE UNAUTHORIZED DEDUCTIONS FROM WAGES,
AND (4) MAKE AND KEEP RECORDS OF PERMANENT ADDRESSES OF THE
NAMED PLAINTIFFS**

Pursuant to Federal Rule of Civil Procedure 56 and Civil Local Rule 56, the Plaintiff
Class certified for purposes of liability and damages under Counts IV and VII in *Jimenez*, and
the Plaintiff Class certified for purposes of liability under Count I in *Ramirez*, move for summary

judgment as to liability and damages on those counts.¹ In addition, the individual named plaintiffs in *Jimenez* move for summary judgment as to liability and damages on Count V. A separate memorandum in support of this motion and accompanying proposed statement of undisputed material facts are being filed concurrently with this motion.

WHEREFORE, for the reasons stated in the memorandum supporting this motion:

A. The class certified for purposes of liability and damages in *Jimenez* requests: (1) entry of judgment in their favor on Count IV in its entirety and on the disclosure, work agreement and deductions claims of Count VII of the *Jimenez* Second Amended Complaint; (2) statutory damages in the amount per Class Member of \$500 in each season worked from 2006-2011 for Defendants' violations of the AWPA's disclosure requirements (Count IV); (3) \$100 for each day worked in each season from 2006-2011 for Defendants' violation of the WMLA's recruitment disclosure requirement (Count VII); (4) \$100 for each day worked in each season worked for Defendants' violation of the WMLA's work agreement requirement (Count VII); and (5) \$100 for each 2011 paycheck from which a deduction was made for meals and housing for Defendants' violation of the WMLA's requirement that written authorization must be obtained in advance of any deductions from wages.

B. The class certified for purposes of liability and damages in *Ramirez* requests entry of judgment in their favor on the AWPA disclosure claim of *Ramirez* Count I, and statutory damages in the amount per Class Member of \$500.

¹ On February 13, 2015, the *Ramirez* Class filed a motion to modify the scope of class certification of the AWPA disclosure claims in Count I. *Ramirez* Dkt. No. 56. The motion seeks to certify the *Ramirez* AWPA disclosure claims for class-wide adjudication with respect both to liability *and damages*, in conformity with the scope of the class certification of the substantively and functionally identical AWPA disclosure claims in *Jimenez*. *Id.* The motion is currently pending.

C. The individual named plaintiffs in *Jimenez* request entry of judgment in their favor on the record-keeping claims of Count V of the *Jimenez* Second Amended Complaint, and statutory damages in the amount of \$500 in each season in which their permanent address was not record.

Defendant GLK and Defendant Downs should be held jointly and severally liable for all statutory damages imposed by the Court.

Dated: February 20, 2015

s/ Joshua Karsh
One of Plaintiffs' Attorneys

Matthew J. Piers
Joshua Karsh
José J. Behar
Claudia Flores
Jenna Miara
Attorneys for Plaintiffs
Hughes Socol Piers Resnick & Dym, Ltd.
70 W. Madison Street, Suite 4000
Chicago, IL 60602
Telephone: (312) 580-0100
Fax: (312) 580-1994
E-mail: mpiers@hsplegal.com
jkarsh@hsplegal.com
jbehar@hsplegal.com
cflores@hsplegal.com
jmiara@hsplegal.com

Ali Beydoun
Attorney for Plaintiffs
Farmworker Justice
1126 16th Street, N.W., Suite 270
Washington, D.C. 20036
(202) 293-5420
E-mail: abeydoun@farmworkerjustice.org

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document will be served on counsel listed below by CM/ECF on February 20, 2015.

Michael Aldana, Esq.
Quarles & Brady LLP
411 East Wisconsin Avenue, Suite 2040
Milwaukee, WI 53202
Michael.Aldana@quarles.com

s/ Joshua Karsh
One of Plaintiffs' Attorneys